

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

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October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER..... carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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clerk post notice of the date and time when absentee voting will be conducted at a licensed facility and requires the licensed facility to notify the contact person or persons, if any, for each resident at the facility that absentee voting will be conducted.

Enacted Law Summary

Public Law 2017, chapter 433 amends the law governing the issuance of absentee ballots to a voter who is a resident of a licensed nursing home, residential care facility or assisted housing program. This law requires that the municipal clerk post notice of the date and time when absentee voting will be conducted at a licensed facility and requires the licensed facility to notify the contact person or persons, if any, for each resident at the facility that absentee voting will be conducted.

LD 1554 *Resolve, Authorizing Claire Dean Perry and the Estate of William Dean To Bring Suit Against the Surety Obtained by the Department of Health and Human Services in Its Capacity as Public Conservator* Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEEBE-CENTER P	OTP-AM	H-365 S-513 HAMPER J

This resolve was reported out of committee in the First Regular Session of the 128th Legislature and then carried over to the Second Regular Session on the Special Appropriations Table. This resolve was again carried over, still on the Special Appropriations Table, from the Second Regular Session to the next special session by joint order S.P. 748.

This resolve authorizes Claire Dean Perry and the estate of William Dean to bring suit against the surety bond that was obtained by the Department of Health and Human Services in the department's capacity as public conservator or public guardian of William Dean and that was filed with the Probate Court pursuant to the Maine Revised Statutes, Title 18-A, section 5-611. This resolve constitutes a waiver of the State's defense of sovereign immunity.

Committee Amendment "A" (H-365)

This amendment clarifies that the surety for the State may not assert the defense of immunity in any proceeding authorized by the resolve and filed with the Probate Court. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-513)

This amendment removes the funding for a court settlement.

LD 1568 *An Act To Require That Principals of Corporations Remain the Same for a Specified Number of Years for the Corporation To Be Eligible for a Casino License* Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS R SCHNECK J		

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session. This bill was again carried over from the Second Regular Session to the next special session by joint order S.P. 748.

Current law prohibits the transfer or assignment of a casino operator license. This bill requires that a corporation applying for a license must have had the same principal officers for at least five years prior to the issue of that

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license and must retain those officers for at least 10 years after the issue or renewal of the license. This bill was not reported out of committee.

LD 1590 An Act Authorizing the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians To Benefit from the Operation of an Existing Casino **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARPENTER M TALBOT ROSS R	ONTP OTP-AM	

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

Current law requires that 4% of the net slot machine income from the casino in Oxford be distributed to the tribal governments of the Penobscot Nation and the Passamaquoddy Tribe. This bill requires that this 4% of the net slot machine income be distributed to the tribal governments of the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs.

Committee Amendment "A" (S-365)

This amendment incorporates a fiscal note.

LD 1646 An Act To Implement Ranked-choice Voting in 2021 **PUBLIC 316**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ACKLEY K	OTP-AM OTP-AM ONTP OTP-AM	H-568

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature.

This bill amends the ranked-choice voting law to bring it into compliance with the Constitution of Maine by applying the provisions of the law only to primary elections for the offices of United States Senator, United States Representative to Congress, Governor, State Senator and State Representative and general and special elections for the offices of United States Senator and United States Representative to Congress. The bill does not allow ranked-choice voting to be used for general and special elections for the offices of Governor, State Senator and State Representative unless an amendment to the Constitution of Maine, Article IV, Part First, Section 5, Article IV, Part Second, Sections 4 and 5 and Article V, Part First, Section 3 that authorizes the Legislature, by proper enactment, to determine the method by which the Governor and members of the State Senate and House of Representatives are elected is ratified.

The bill requires the Secretary of State to adopt routine technical rules for the administration of ranked-choice voting, including the administration of recounts.

Committee Amendment "B" (H-568)

This amendment delays the implementation of ranked-choice voting until elections held after December 1, 2021. This amendment provides that the laws governing ranked-choice voting are repealed unless the Constitution of Maine is amended to authorize the Legislature to determine the method by which the Governor and members of the Legislature are elected. The amendment requires the Secretary of State to submit a report on the implementation of ranked-choice voting to the joint standing committee of the Legislature having jurisdiction over election matters no